

**REMARKS**

At the outset, the Examiner is thanked for the thorough review and consideration of the pending application. The Office Action dated June 2, 2004 has been received and its contents carefully reviewed.

In the Office Action, claims 14-24 are rejected under the judicially-created doctrine of obviousness-type double patenting as being unpatentable over claims 2, 3, 20, and 21 of U.S. Patent 6,610,970 to Back. Claims 1-24 are rejected under 35 U.S.C. § 102(e) as being anticipated by Back.

Applicant files a terminal disclaimer under 37 C.F.R. 1.321(c) to overcome the obviousness-type rejection of claims 14-24.

Applicant notes that the foreign priority dates of the present application are June 28, 2002 and June 29, 2002, which antedate the November 2, 2002 U.S. filing date of the Back reference. Applicant encloses certified translations of the priority documents in order to perfect the claim of priority under 35 U.S.C. §119. Accordingly, Applicants respectfully requests that Back be withdrawn from consideration as prior art.

Applicants believe the foregoing places the application in condition for allowance and early, favorable action is respectfully solicited.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

Application No.: 10/603,932  
Response filed September 1, 2004  
In response to Office Action of June 2, 2004


3

Docket No.: 7989.009.00-US

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

Dated: September 1, 2004

Respectfully submitted,

By   
Rebecca Goldman Rudich

Registration No.: 41,786  
MCKENNA LONG & ALDRIDGE LLP  
1900 K Street, N.W.  
Washington, DC 20006  
(202) 496-7500  
Attorney for Applicant